



PUBLIC NOTICE

**US Army Corps
of Engineers®**

APPLICATION FOR PERMIT

Public Notice/Application No.: 2001-01486-SDM

Comment Period: July 30, 2003 through August 29, 2003

Applicant

Mr. Larry Tarkowski
Public Works Director
Town of Prescott Valley
7501 E Civic Circle
Prescott Valley, Arizona 86314
(520) 759-3071

AGENT

Site Consultants, Inc.
113 South Rockford Drive
Tempe, Arizona 85281
(480) 894-2820

Location

In the Agua Fria River at (Sections 16, 21, 22 & 27, T14N, R1E), Prescott Valley, Yavapai County, Arizona.

Activity

To maximize the amount of infiltration and groundwater recharge from the Town of Prescott Valley treatment plant into the Agua Fria River. For more information, see page 3 of this notice and attached drawings.

Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). Interested parties are invited to provide their views on the proposed work, which will become a part of the record and will be considered in the decision. This permit application will be issued or denied under Section 404 of the Clean Water Act (33 U.S.C. 1344).

Comments can be e-mailed to sallie.mcguire@usace.army.mil or mailed to:

**U. S. Army Corps of Engineers
ATTENTION: Regulatory Branch (2001-01486-SDM)
3636 North Central Avenue, Suite 900
Phoenix, Arizona 85012-1939**

Evaluation Factors

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof. Factors that will be considered include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, if the proposal would discharge dredged or fill material, the evaluation of the activity will include application of the EPA Guidelines (40 CFR 230) as required by Section 404 (b)(1) of the Clean Water Act.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Preliminary Review of Selected Factors

EIS Determination- A preliminary determination has been made that an environmental impact statement is not required for the proposed work.

Water Quality- The applicant will be required to obtain water quality certification, under Section 401 of the Clean Water Act, from the Arizona Department of Environmental Quality and/or the U.S. Environmental Protection Agency. For any proposed activity on Tribal land that is subject to Section 404 jurisdiction, the applicant will be required to obtain water quality certification from the U.S. Environmental Protection Agency. For any proposed activity on land other than Tribal land that is subject to Section 404 jurisdiction, the applicant will be required to obtain water quality certification from the Arizona Department of Environmental Quality. Section 401 of the Clean Water Act requires that any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers.

Cultural Resources- The latest version of the National Register of Historic Places has been consulted and this site is not listed. This review constitutes the extent of cultural resources investigations by the District Engineer, and he is otherwise unaware of the presence of such resources.

Endangered Species- Preliminary determinations indicate that the proposed activity would not affect federally-listed endangered or threatened species, or their critical habitat. Therefore, formal consultation under Section 7 of the Endangered Species Act does not appear to be required at this time.

Public Hearing- Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing.

Proposed Activity for Which a Permit is Required

The Town of Prescott Valley currently discharges treated effluent (up to three cubic feet per second) from its plant into the Agua Fria River channel. Some of that water infiltrates and recharges the groundwater. The project concept is to maximize the amount of infiltration and groundwater recharge. Dirt berms, constructed of native material, will be constructed across the channel bottom, perpendicular to flow. The berms will cause the water to pond, increasing the wetted surface area, promoting infiltration and thereby enhancing groundwater recharge. The berms will be approximately three feet high with a ponded water depth of about two feet. Each berm will be constructed the width of the channel, which ranges from 40 to 100 feet. The berms will be spaced 200 feet apart over a channel reach of 2.5 miles for a total of 55 berms. The total number of berms may vary slightly due to construction constraints within the channel. The berms will be constructed entirely of native material, excavated from a trench adjacent to each berm. A spillway at one end of the berm will allow excess water to flow downstream. The project will impact a minimum of 1.4 acres, up to 3.5 acres of the Agua Fria River, depending on the width at the site of each berm. The size of the entire project area is 19.2 acres.

The berms are intended to pond only the effluent discharge. They are not intended to impound water from natural flows. Since the berms will be construction of uncompacted river bottom material, they will be designed to fail during natural flow events so as not to redirect the river out of its natural pattern.

Additional Project Information

The river channel along the project site is presently used to graze cattle. The cattle have removed most of the vegetation, compacted the soils and deposited substantial waste material. The mitigation concept is to fence off the area and eliminate the cattle, thereby eliminating the waste material and allowing native vegetation to grow.

Proposed Special Conditions

None at this time.

For additional information please call Sallie D. McGuire at (602) 640-5385 x 221. This public notice is issued by the Chief, Regulatory Branch.